

CITY OF HORSESHOE BAY

ORDINANCE NO. ORD 08-04-15A

ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF THE CITY OF HORSESHOE BAY ADDING NEW SECTION 3.2.2(m) TO TREAT ALL R-2 TWO FAMILY RESIDENTIAL ZONED LOTS WITH DUPLEXES REPLATTED INTO 2 LOTS IN THE MIDDLE OF THE DUPLEX AS ONE LOT FOR ZONING PURPOSES; PROVIDING FOR EFFECTIVE DATE, REPEALER, SEVERABILITY AND FINDING OF PROPER NOTICE AND MEETING.

WHEREAS, Ordinance No. 07-09-18E, the City of Horseshoe Bay's Zoning Ordinance provides that whenever lots are replatted and the replat creates lots that do not meet the yard requirements for the Zone in which they are located, such replatted lots become non-conforming lots; and

WHEREAS, R-2 Two Family Residential Zoned lots with duplexes have been replatted in order to separate the ownership of the two units of the duplex so that each may be sold separately; and

WHEREAS, The City Council of Horseshoe Bay finds that adding new Section 3.2.2(m) to treat all R-2 Two Family Residential zoned lots replatted into 2 lots in the middle of the duplex as one (1) lot for zoning purposes is in the best interests of the City and that it is necessary and proper for the good government;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, THAT:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. NEW SECTION

(a) Addition of new Section 3.2.2(m)

New Section 3.2.2(m) is hereby added to Ordinance 07-09-18E to read as follows:

(m) When any R-2 Zoned lot with an existing duplex is replatted into two lots in accordance with Section VI of the City's Subdivision Ordinance No. 07-09-18F, such replatted lots shall be considered as one lot for zoning purposes.

III. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

V. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

ADOPTED AND APPROVED on this the 15th day of April, 2008 by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

/S/
Robert W. Lambert, Mayor

Attest:

/S/
Teresa L. Moore, City Secretary